

## Basic Clues

The following list indicates signs that a hate crime may have been committed:

Perception of the victim or witness that he/she was selected by the perpetrator because of his or her membership in a protected class.

- Written or oral comments of the perpetrator that may indicate bias.
- Date of incident coincides with a day that is significant to the victim's protected class.
- Differences between the race or religion, for example, of the victim and the perpetrator.
- Organized hate group activity in the area.

## Other Remedies

Civil remedies may be available even if criminal violations cannot be proven. Pursuant to NCGS § 99D-1, a person whose civil rights have been interfered with by repeated harassment or violence because of their race, religion, ethnicity or gender may bring a civil action.

## Whom to Contact

HAVE YOUR RIGHTS BEEN VIOLATED BECAUSE OF YOUR RACE, RELIGION, GENDER, OR SEXUAL ORIENTATION, AND YOU NEED SUPPORT OR LEGAL INFORMATION?

Asheville Police Department

(828)252-1110      Non-Emergency  
911      Emergency

Asheville Police Victim Services

(828)259-5912

North Carolina Victim Assistance Network

(800)348-5068

Campaign for Southern Equality

(828)761-1224

**After Arrest:** for information and assistance in criminal justice procedures, call the Buncombe County District Attorney's Office Victim/Witness Coordinators

District 1A Court      (828)259-6451

District 2A Court      (828)259-6465

District 2B Court      (828)259-6447

District 3B Court      (828)259-6443

Superior Court      (828)259-6428



## ASHEVILLE POLICE DEPARTMENT



## Preventing Hate Crime

## Hate Crimes in North Carolina

A hate crime is a criminal act committed against a person or his/her property because the person is a member of a protected class (i.e. race, religion or ethnic/national origin). Hate crimes include not only violence against individuals or groups, but also crimes against property, such as arson or vandalism, particularly those directed against community centers or houses of worship. Hate crimes do not include hate speech which is protected by the First Amendment.

North Carolina law does not recognize hate crimes committed because of sexual orientation, gender or disability. However, if a criminal offense (i.e. assault, communicating threats, damage to property) is committed against you or your property, it is still considered a crime... regardless of your sexual orientation, gender, and/or disability. If you are a victim of a crime, contact the Asheville Police Department.

The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009, 18 U.S.C. § 249, was enacted to provide funding and technical assistance to state, local, and tribal jurisdictions to help them more effectively investigate and prosecute hate crimes.

It also created a new federal criminal law which criminalizes willful cause or attempt bodily injury with fire, firearm, or other dangerous weapon.

## What is covered under North Carolina Law?

- Race, Religion, Ethnicity
- Sexual Orientation
- Gender
- Disability



### NORTH CAROLINA LAWS

#### N.C.G.S. § 14-401.14. **Ethnic intimidation**

If a person shall, because of race, color, religion, nationality, or country of origin, assault another person, or damage or deface the property of another person, or threaten to do any such act, he shall be guilty of a Class 1 misdemeanor.

#### N.C.G.S. § 14-3 **Penalty Enhancement**

Enhances penalties for offenses committed because of the victim's race, color, religion, nationality, or country of origin.

#### N.C.G.S. § 14-62.2. **Burning of churches and religious buildings.**

Covers wantonly and willfully setting fire to or burning of any church, chapel, or meetinghouse.

#### N.C.G.S. § 14-144 **Damage to churches by other means**

Covers damage to churches by other means than burning or attempting to burn.

## Why is it important to report incidents?

If these hate crimes are not reported to law enforcement, the perpetrators will continue to act on their beliefs and may continue to pose a threat to society.

### Need Help?

United Way's 2-1-1 of WNC is a community service information line that links people to health and human services in Buncombe, Henderson, Madison and Transylvania Counties. The 2-1-1 service is free, confidential and available 24/7 to speakers of all languages. Whether you want to find or give help, trained referral specialists are available to answer your call and identify the right resources for you.

